



# House of Representatives

General Assembly

**File No. 335**

February Session, 2016

Substitute House Bill No. 5050

*House of Representatives, March 31, 2016*

The Committee on Government Administration and Elections reported through REP. JUTILA of the 37th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT MODERNIZING THE SYMBOL OF ACCESS FOR PERSONS WITH DISABILITIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective from passage*) Not later than January 1,  
2       2017, the Commissioner of Administrative Services shall promulgate a  
3       policy and adopt regulations, in accordance with the provisions of  
4       chapter 54 of the general statutes, designating the symbol of access to  
5       be used on signage indicating access for persons with disabilities. Such  
6       symbol shall depict a logo with a dynamic character leaning forward  
7       with a sense of movement, be readily identifiable and be simply  
8       designed with no secondary meaning. Such symbol shall signify  
9       equivalent facilitation and accessibility as the previously used  
10      international symbol of access.

11      Sec. 2. (NEW) (*Effective from passage*) Beginning January 1, 2017, any  
12      reference to the international symbol of accessibility in the State  
13      Building Code shall be deemed to mean the symbol of access, as

14 defined in subsection (a) of section 14-253a of the general statutes, as  
15 amended by this act. The symbol of access shall be used for all  
16 buildings and structures constructed, substantially renovated or  
17 expanded on or after January 1, 2017.

18 Sec. 3. Subsection (a) of section 14-253a of the 2016 supplement to  
19 the general statutes is repealed and the following is substituted in lieu  
20 thereof (*Effective January 1, 2017*):

21 (a) For the purposes of this section:

22 (1) "Special license plate" means a license plate displaying the  
23 [international] symbol of access in a size identical to that of the letters  
24 or numerals on the plate and in a color that contrasts with the  
25 background color of the plate;

26 (2) "Removable windshield placard" means a two-sided, hanger-  
27 style placard which bears on both of its sides: (A) The [international]  
28 symbol of access in a height of three inches or more centered on such  
29 placard and colored white on a blue background; (B) a unique  
30 identification number; (C) a date of expiration; and (D) a statement  
31 indicating that the Connecticut Department of Motor Vehicles issued  
32 such placard;

33 (3) "Temporary removable windshield placard" means a placard  
34 that is the same as a removable windshield placard except that the  
35 [international] symbol of access appears on a red background; [and]

36 (4) "Person with disabilities" means a person with disabilities which  
37 limit or impair the ability to walk, as defined in 23 CFR Section 1235.2;  
38 and

39 (5) "Symbol of access" means the symbol designated by the  
40 Commissioner of Administrative Services pursuant to section 1 of this  
41 act used to indicate access for persons with disabilities.

42 Sec. 4. Subsection (c) of section 14-253a of the 2016 supplement to  
43 the general statutes is repealed and the following is substituted in lieu

44 thereof (*Effective January 1, 2017*):

45 (c) Any person who meets the requirements to obtain a removable  
46 windshield placard pursuant to subsection (b) of this section and who  
47 has a motorcycle registered in such person's name shall be issued,  
48 upon approval of the application, number plates in accordance with  
49 the provisions of subsection (a) of section 14-21b, which shall bear  
50 letters or numerals or any combination thereof followed by the  
51 [international access] symbol of access. The registration of any  
52 motorcycle for which a special license plate is issued shall expire and  
53 be renewed as provided in section 14-22 and be subject to the fee  
54 provisions of section 14-49. No person shall be issued such number  
55 plates for the registration of more than two motorcycles. Any person  
56 eligible to obtain a special license plate pursuant to this section who  
57 transfers the expired registration of a motorcycle owned by such  
58 person and replaces such number plate with a special license plate  
59 shall be exempt from payment of any fee for such transfer or  
60 replacement. A person who obtains a special plate or plates under this  
61 subsection may also obtain a removable windshield placard in  
62 accordance with subsection (b) of this section.

63 Sec. 5. Subsection (h) of section 14-253a of the 2016 supplement to  
64 the general statutes is repealed and the following is substituted in lieu  
65 thereof (*Effective January 1, 2017*):

66 (h) Parking spaces designated for persons who are blind and  
67 persons with disabilities on or after October 1, 1979, and prior to  
68 October 1, 2004, shall be as near as possible to a building entrance or  
69 walkway and shall be fifteen feet wide including three feet of cross  
70 hatch, or parallel to a sidewalk on a public highway. On and after  
71 October 1, 2004, parking spaces for passenger motor vehicles  
72 designated for persons who are blind and persons with disabilities  
73 shall be as near as possible to a building entrance or walkway and  
74 shall be fifteen feet wide including five feet of cross hatch. On and after  
75 October 1, 2004, parking spaces for passenger vans designated for  
76 persons who are blind and persons with disabilities shall be as near as

77 possible to a building entrance or walkway and shall be sixteen feet  
 78 wide including eight feet of cross hatch. Such spaces shall be  
 79 designated by above grade signs with white lettering against a blue  
 80 background and shall bear the words "handicapped parking permit  
 81 required" and "violators will be fined". Such sign shall also bear the  
 82 international symbol of access. [When] On and after January 1, 2017,  
 83 whenever such a sign is replaced, repaired or erected it shall bear the  
 84 words "reserved parking permit required" and "violators will be  
 85 fined", bear the symbol of access and indicate the minimum fine for a  
 86 violation of subsection (f) of this section. Such indicator may be in the  
 87 form of a notice affixed to such a sign.

88 Sec. 6. Subsection (a) of section 14-325b of the 2016 supplement to  
 89 the general statutes is repealed and the following is substituted in lieu  
 90 thereof (*Effective January 1, 2017*):

91 (a) Each retail dealer as defined in section 14-318 that offers self-  
 92 service and full-service facilities for the sale of gasoline or motor fuel  
 93 shall provide, at a self-service pump, upon request, refueling service to  
 94 a handicapped driver of a vehicle that bears a special [international  
 95 symbol of access] license plate or a removable windshield placard  
 96 issued pursuant to section 14-253a, as amended by this act, at a price  
 97 no greater than that which such dealer would charge the public to  
 98 purchase gasoline or motor fuel without any refueling service.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>January 1, 2017</i>	14-253a(a)
Sec. 4	<i>January 1, 2017</i>	14-253a(c)
Sec. 5	<i>January 1, 2017</i>	14-253a(h)
Sec. 6	<i>January 1, 2017</i>	14-325b(a)

**Statement of Legislative Commissioners:**

In Section 1, "propose" was changed to "adopt" for accuracy, ", in accordance with the provisions of chapter 54 of the general statutes,"

was added for consistency, and "provide for the" was changed to "signify" for clarity.

**GAE**      *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

The bill requires the Department of Administrative Services (DAS) commissioner to adopt regulations designating a new symbol of access for people with disabilities to be utilized in signage and license plates. The costs associated with the replacement of current signage for state facilities and license plates via the Department of Motor Vehicles will not result in additional costs as it is anticipated that this new symbol will be displayed in future logos subject to normal replacement cycles.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

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**OLR Bill Analysis****sHB 5050*****AN ACT MODERNIZING THE SYMBOL OF ACCESS FOR PERSONS WITH DISABILITIES.*****SUMMARY:**

This bill requires the Department of Administrative Services (DAS) commissioner, by January 1, 2017, to promulgate a policy and adopt regulations designating a new symbol of access for people with disabilities. The symbol, which replaces the international access symbol, must (1) depict a logo with a dynamic character leaning forward with a sense of movement, be readily identifiable, and be simply designed with no secondary meaning and (2) provide for the equivalent facilitation and accessibility as the international access symbol (see BACKGROUND).

Beginning January 1, 2017, the bill requires that any references in the State Building Code to the international symbol of accessibility be deemed to mean the new symbol established under the bill. It requires use of the new symbol in all buildings and structures constructed, substantially renovated, or expanded on or after that date.

The bill similarly replaces the international symbol of access with the new symbol for (1) special license plates and temporary windshield placards for individuals with disabilities or who are blind, or the parent or guardian of such individuals, and (2) parking space signs for such individuals that are replaced, repaired, or erected on and after January 1, 2017. In addition, the bill replaces “handicapped” with “reserved” on the parking signs, which currently read “handicapped parking permit required,” and “violators will be fined.”

The bill also makes technical and conforming changes.

EFFECTIVE DATE: Upon passage, except that the provisions concerning license plates, placards, and parking space signs are effective January 1, 2017.

## **BACKGROUND**

### ***International Symbol of Accessibility***

The 2010 ADA (Americans with Disabilities Act) Standards for Accessible Design, published by the U.S. Department of Justice and applicable to public and private entities, require the use of the international symbol of accessibility in several different contexts (e.g., entrances, elevators, restrooms, and parking space identification signs). They allow covered entities to use designs, products, or technologies that are different from those specified in the standards as long as the alternatives result in “substantially equivalent or greater accessibility and usability” (i.e., the equivalent facilitation exception). If an alternative is challenged, the covered entity is responsible for demonstrating equivalent facilitation (Standard 103).

In May 2015, the Federal Highway Administration ruled that certain alternatives to the international symbol of accessibility, including those with a dynamic character, were not permissible for use in traffic control device applications (Official Ruling No. 2(09) – 111 (I)-International Symbol of Accessibility).

## **COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable

Yea 9      Nay 6      (03/11/2016)